IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6552 OF 2006

Shri Mahadev s/o Dattu
Jadhav and Other .. Petitioners.
Vs.
Smt.Indubai w/o Maruti
Javale and Others .. Respondents.

Mr.G.G.Suryawanshi and Mr.G.P.Lasure for the petitioners.

CORAM : D.B.BHOSALE, J.

DATED : 4TH OCTOBER, 2006

P.C.:

. Heard learned counsel for the petitioners.

2. This petition is arising from the order passed by the courts below by which the possession warrant in execution proceedings bearing Reg.Darkhast No.79/1986 has been issued. It appears that the decree holder had succeeded right upto the Supreme Court. In the Supreme Court the appeal was preferred only in respect of the house property. This is not disputed by the petitioners before me. It indicates that the decree insofar as agricultural lands is concerned was not challenged by the judgment debtors in the Supreme Court. The Supreme Court did not interfere in view of the fact that the decree in respect of house property had already been executed. The court below has issued the possession

warrant in respect of agricultural land and

that order has been confirmed by the appeal court in civil miscellaneous appeal no.91/2006. In my opinion, the orders impugned do not suffer from any infirmity warranting interference by this court under Article 227 of the Constitution of India. The writ petition is dismissed.

(D.B.Bhosale, J.)